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July 15, 2013

**VIA ECF & FAX**

Hon. Steven Mannion U.S.M.J.  
 King Building & U.S. Courthouse  
 50 Walnut St., P.O. Box 999  
 Newark, NJ 07101-0999

**Re: *Montvale Surgical Center v. Horizon Blue Cross Blue Shield of New Jersey***  
**Civ. No. 12-6867 (ES/SCM)**

Dear Judge Mannion:

This firm represents Defendant Horizon Blue Cross Blue Shield of New Jersey (hereinafter "Horizon") in the above-referenced matter. On June 21, 2013, the parties appeared before Your Honor for a settlement conference. There are currently sixteen (16) "Montvale v. Horizon" matters pending in this Court. The parties attempted to come to a global resolution of these cases. Ultimately, the parties were not able to settle and Your Honor ordered that Horizon shall file a motion for summary judgment by July 19, 2013; Plaintiff shall file opposition by August 9, 2013 and Horizon shall file a reply by August 16, 2013 (Docket No. 13).

With the consent of counsel for Plaintiff, I write to request a two-(2) week extension of the foregoing deadlines, which results in Horizon's motion for summary judgment being filed by August 2, 2013; Plaintiff's reply being filed by August 23, 2013 and any reply by August 30, 2013. The parties are making one last attempt at settlement and currently have a settlement conference scheduled with Judge Arleo on July 25, 2013. In light of this pending conference, the parties have resumed negotiations and are hopeful that these matters can be resolved before Judge Arleo at the settlement conference on July 25, 2013. The parties respectfully request that the deadline for filing in this case be extended two (2) weeks so in the event settlement is reached the parties can avoid the

Hon. Steven Mannion U.S.M.J.  
July 15, 2013  
Page 2

expense of motion practice. There have been no prior requests for an extension of these briefing deadlines.

As always, we are available to answer any questions Your Honor or Your Honor's staff may have on this matter. If this request meets with Your Honor's approval, for the Court's convenience, a "So Ordered" signature line is included *infra*.

Respectfully submitted,

s/ Matthew A. Baker

Matthew A. Baker

Cc: Andrew Bronsnick, Esq. (Via CM/ECF and Email)  
Hon. Madeline Cox Arleo, U.S.M.J. (Via Facsimile)

**IT IS SO ORDERED** this \_\_\_\_\_ of July, 2013, that Horizon's motion for summary judgment shall be filed by **August 2, 2013**; any opposition by **August 9, 2013**; and any reply brief by **August 30, 2013**.

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HON. STEVEN MANNION, U.S.M.J.